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STATE GUIDANCE

To: Child Nutrition Programs
From: Sally Bartlett, B.S., Specialist
Date: September 22, 2005
Subject: Child and Adult Care Food Program and the Extension of Waivers Due to
Emergency Conditions Caused by Hurricane Katrina
Policy Memo CACFP-05-13

This memorandum announces the extension of waivers pertaining to CACFP. A chart summarizing the previous waivers, and the action being taken in this memorandum, is attached, and a narrative description of these extensions follows.

- “CACFP Policy # 04-2005: Emergency Feeding in the . . . (CACFP) in Areas Affected by Hurricane Katrina” (memorandum issued on September 2, 2005): All provisions in this memorandum will remain in effect at least through November 30, 2005. Center officials or the family day care home provider must still review an emergency eligibility determination 45 days after making that determination. In addition, the provision permitting institutions affected by Hurricane Katrina to submit late claims without a waiver request is extended to include September claims, which may be submitted as late as December 31, 2005; October claims, which may be submitted as late as January 31, 2006; and November claims, which may be submitted as late as February 28, 2006.
- “CACFP Policy # 05-2005: Additional Waivers Relating to Hurricane Katrina in the . . . (CACFP)” (memorandum issued on September 9, 2005): All provisions in this memorandum scheduled to expire on September 30, 2005, or on November 1, 2005, will remain in effect through November 30, 2005. The delayed implementation of the block claim edit check in areas affected by Hurricane Katrina remains in effect until January 1, 2006.

Finally, we have been asked to specify the difference between “declared disaster areas” and “areas affected by Hurricane Katrina”. Waivers for declared disaster areas are limited to those counties or parishes designated on the Federal Emergency Management Agency website (www.fema.gov/index2.shtm), then click on “2005 Federally Declared Disasters”) as eligible for “individual assistance”, that is, assistance to individuals and households.

Waivers for areas affected by Hurricane Katrina include the above disaster areas plus any other areas where the State agency determines that the hurricane's impact (in terms of displaced persons, food shortages, etc.) will have a significant impact on Program operations.

We will continue to monitor the situation in these areas to determine if additional extensions are appropriate. If there are any questions concerning this memorandum, State agencies should contact their Regional office.

For further information call the Child Nutrition Division at 208-332-6821

Attachment: CACFP--Hurricane Katrina [HK] Waivers

Date	Description of Waiver	Area Covered	Set to Expire	Action Taken in this memo
9/2	Emergency shelters: SA may designate “any appropriate facility” as an emergency shelter. No institution application is necessary. Any person eligible for CACFP may receive up to 3 free meals per day.	Areas affected by HK	9/30/05	Extended to 11/30/05
9/2	Emergency shelter: If a school in session houses displaced persons, SA may enter into agreement with school as an emergency shelter. No institution application is necessary.	Areas affected by HK	9/30/05	Extended to 11/30/05
9/2	At-risk snacks: all areas are area eligible	Declared disaster areas	9/30/05	Extended to 11/30/05
9/2	At-risk snacks: no requirement for “enrichment or educational activities”	Areas affected by HK	9/30/05	Extended to 11/30/05
9/2	Homes/centers: If unable to maintain records, serve all meals free or tier I	Declared disaster areas	9/30/05	Extended to 11/30/05
9/2	Homes/centers: If enrollments/IEF can’t be obtained, center/provider may document free/tier I eligibility with a list, in lieu of enrollments/applications	Areas affected by HK	9/30/05	Extended to 11/30/05
9/2	Homes/centers: If enrollments/applications can be obtained, emergency FSP households are eligible for free/tier I; other rules for families living together.	Areas affected by HK	9/30/05	Extended to 11/30/05

Date	Description of Waiver	Area Covered	Set to Expire	Action Taken in this Memo
9/2	Homes/centers: Crisis eligibility determinations should be reviewed after 45 days	Areas affected by HK	Continued	
9/2	All of CACFP: SA may postpone deadline for application/update materials, and for tier I determinations	Areas affected by HK	11/1/04	Extended to 11/30/05
9/2	All of CACFP: August claims may be submitted by 12/31/05 without waiver request	Areas affected by HK	Add September, October, and November claims	
9/2	All of CACFP: Meal pattern flexibility	Areas affected by HK	9/30/05	Extended to 11/30/05
9/9	FDCH: 3-day residence rule	Areas affected by HK, including areas from which emergency/military personnel are sent	9/30/05	Extended to 11/30/05
9/9	SA may waive facility review requirements, as appropriate	LA, MS, AL	9/30/05	Extended to 11/30/05
9/9	RO may extend 3-year review cycle for SA	Areas affected by HK	9/30/05	Extended to 11/30/05
9/9	Block claim edit check	Areas affected by HK	1/1/06	None
9/9	Emergency shelter: In an operating school that provides meals to displaced persons housed in other locations that can't provide meals, SA may enter into agreement with school as an emergency shelter, without institution application.	Areas affected by HK	9/30/05	Extended to 11/30/05